

WAIVER OF CONSENT FROM ADJACENT REGION
Region 24 Plan Amendment required for the FCC band consolidation in the
upper half of the public safety 700 MHz allocation (narrowband) between
(769-775/799-805 MHz).

Region 24 requests a waiver of Rule Section 90.527(b) which requires for regions to provide certification of the successful coordination of a modified regional plan with its adjacent regions and that written consent is obtained from all adjacent 700 MHz Regional Planning Committees. Region 24 is adjacent to eight (8) Regions. The Regions to which Region 24 is adjacent, and the status of that Region's 700 MHz RPC is shown in the following table:

Region	RPC Status	Written consent obtained by January 31, 2008
Region 15	Formed	Yes
Region 39	Formed	Yes
Region 26	Formed	Yes
Region 16	Formed	Yes
Region 34	Formed	No
Region 17	Formed	No
Region 13	Formed	Yes
Region 4	Formed	No

Region 24 has made every reasonable effort to contact and obtain the consent of all adjacent Regions within the time allotted. Region 24 has received concurrence from all its adjacent 700 MHz RPCs with the exception of Regions 4, 17 and 34.

Region 24 has contacted all the Chairperson of 700 MHz regional planning committees in its adjacent regions, including Regions 4, 17 and 34, via independent email and via the notification system on the CAPRAD database advising of the change of status of the Region 24 plan and requesting review of the plan by each adjacent region. The Region 24 700 MHz Regional Planning Committee requested concurrence from adjacent regions via email or postal mail no later than January 23, 2008 in order for the region to process the plan amendment by the January 31, 2008 deadline. In addition, Region 24 has placed an Adobe Acrobat File containing its modified 700 MHz Regional Plan on the CAPRAD database where adjacent regions can view it.

Region 24 has been consistent in its desire to retain channel allotments consistent with the national packing plan in CAPRAD and we ensure our adjacent regions that in the light of the CAPRAD database being re-packed,

we will continue to utilize CAPRAD allotments, as recommend for Region 24, in the future.

It should also be noted that the Region 24 plan amendment does not make any changes to existing channel allocations from the approved Region 24 700 MHz plan as approved by the FCC in May, 2005 under Docket 02-378. The modified plan merely makes the required changes to the public safety 700 MHz band plan as outlined in the FCC Second Report and Order under Docket 06-229 dated July 31, 2007 and within the time frames established in the Public Safety Homeland Security Bureau notice dated November 9, 2007 which extended the filing deadline for plan amendments until January 31, 2008. We look forward to the new CAPRAD re-packing sort being completed at which time we will modify the Region 24 allotments to be consistent with the new packing plan and again submit the Region 24 700 MHz plan to the Commission. We anticipate obtaining regional concurrence from Region 24's adjacent regions prior to that plan amendment submission as well.

By continuing to follow the planning procedures described above and retaining the dialogue of 700 MHz public safety usage amongst and between our adjacent regions, Region 24 feels it is in the best interest of the public safety community and the people of the State of Missouri they serve for this waiver to be granted as requested. Region 24 feels the transitional state of this plan amendment, established as necessary in response to the Commission's reconfiguration of the public safety 700 MHz band to ensure the ability for continued use by entities holding 700 MHz authorizations in Missouri while pending the completion of the CAPRAD database national repacking, is in the public interest. Also, since Region 24 has made no changes to its initial approved 700 MHz plan in this filing, we feel that the enforcement of the rule in this instance would not contribute to the overall outcome as outlined in 90.527 (b) which supports inter-regional cooperation and coordination of the 700 MHz band. We feel the desired cooperation and dialogue sought in the Commission's rule between regions does exist today between Region 24 and its neighboring regions and enforcement of the rule requiring all eight (8) concurrences would frustrate the ability of Region 24 to submit their plan in a timely manner and would, ultimately, not serve the spirit of the rule.

For these reasons, Region 24 asks that the FCC waive the requirements of 90.527(b) as it relates to this particular required plan amendment submitted by Region 24. In the March-April 2008 time frame we anticipate modifying Region 24's 700 MHz plan again with the new CARPAD data allocations and intend on obtaining and providing adjacent region concurrences from neighboring regions in that submission as well.

Respectfully submitted.

Steven J. Makky, Sr.

Chair, Region 24 700 MHz Regional Planning Committee

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